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[Additional Counsel Appear on Signature Page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

IN RE ABBOTT LABORATORIES  
NORVIR ANTITRUST LITIGATION

No. C-04-1511 CW

**STIPULATION AND ORDER RE:  
CONTINUING HEARING ON SUMMARY  
JUDGMENT MOTION AND CROSS-  
SUMMARY JUDGMENT MOTION TO  
MAY 1, 2008**

WHEREAS, a hearing on Defendant Abbott's motion for Summary Judgment and Plaintiffs' Cross-Motion for Summary Judgment is presently scheduled for hearing on April 24, 2008;

WHEREAS, a scheduling conflict has arisen for counsel for Defendant necessitating a

[C-04-1511 CW] STIPULATION AND [PROPOSED] ORDER RE: CONTINUING HEARING ON SUMMARY JUDGMENT MOTION AND CROSS-SUMMARY JUDGMENT MOTION TO MAY 1, 2008

1 request that the hearings be continued;

2 WHEREAS, following consultations among counsel for the parties, but subject to  
3 approval by the Court, counsel for Plaintiffs have agreed to the requested continuance on the  
4 hearing on Defendant's Motion for Summary Judgment and Plaintiffs' Cross-Motion for  
5 Summary Judgment for one week until Thursday, May 1, 2008 at 2:00 p.m. providing such  
6 continuance does not modify the existing trial date in this case.

7 IT IS THEREFORE STIPULATED by and between the parties, acting through their  
8 counsel of record, that, subject to the Court's approval, the hearing on Defendant's Motion for  
9 Summary Judgment and Plaintiffs' Cross-Motion for Summary Judgment is continued for one  
10 week from April 24, 2008, to May 1, 2008, at 2:00 p.m.

11 Dated: April 18, 2008

Respectfully submitted,

12 **BERMAN DEVALERIO PEASE TABACCO**  
13 **BURT & PUCILLO**

14 By: /s/ Christopher T. Heffelfinger  
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**E-Filing Attestation**

I, Christopher T. Heffelfinger, am the ECF User whose ID and password are being used to file this document. In compliance with General Order 45 X.B., I hereby attest that DAVID J. DOYLE, whose e-filing signature appears below, has concurred in the filing of this document.

Dated: April 18, 2008

**WINSTON & STRAWN**

By: /s/ David J. Doyle  
DAVID J. DOYLE

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**Attorneys for Defendant  
ABBOTT LABORATORIES**

**ORDER**

It is ordered that the hearing on Defendant's Motion for Summary Judgment and Plaintiffs' Cross-Summary Judgment is continued from April 24, 2008 to May 1, 2008, at 2:00 p.m.

4/22/08

Dated: \_\_\_\_\_



\_\_\_\_\_  
HON. CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE